

**FILED**

AO 91 (Rev. 02/09) Criminal Complaint

**UNITED STATES DISTRICT COURT**

FEB 01 2011

for the  
Western District of TexasCLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature]  
DEPUTY CLERK

United States of America )

v. )

GOMEZ, Samuel )  
PEREZ, Ventura )Case No. 11-520Defendant**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 09/05/2010 in the county of El Paso in the Western District of  
Texas, the defendant violated 21 section U. S. C. § 846  
an offense described as follows:conspiracy to knowingly and intentionally possess, with intent to distribute, a controlled substance, which offense involved  
a quantity of a mixture or substance containing a detectable amount of marijuana a schedule I controlled substance, in  
violation of title 21 USC 846, to wit: 1,294 lbs or 586.94 kilograms.This criminal complaint is based on these facts:  
As further described in attachment A.☒ Continued on the attached sheet.[Signature]  
Complainant's signature

Steven Ohman, SA

Printed name and title

Sworn to before me and signed in my presence.

Date: 02/01/2011[Signature]  
Judge's signatureCity and state: El Paso, Texas

David C Guaderrama, Magistrate Judge

Printed name and title

**Attachment A**

I, Steven Ohman, your affiant, am a dully sworn Special Agent (SA) with the Drug Enforcement Administration (DEA), having been so since November 2009. While employed as a Special Agent with the DEA, I have received specialized training in narcotics investigations and have been designated by the United States Attorney General to be empowered with Title 21 authority which allows me to seize narcotics and arrest subjects for violations of the Controlled Substance Act.

Federal Bureau of Investigation (FBI) and Drug Enforcement Administration (DEA) were conducting an investigation of a Mexican Drug Trafficking Organization (DTO). In connection with the investigation, agents relied upon information received from Confidential Human Sources (CHS). On 09/02/2010, a CHS advised that defendant, Edgar Aaron ACOSTA, directed an individual to travel from El Paso, TX, which is in the Western District of TX, to McAllen, TX to oversee the loading of approximately 1,300 pounds of marijuana into a tractor trailer.

A CHS positively identified a photograph of ACOSTA. The CHS provided the location of the warehouse where the drugs were to be loaded into a tractor trailer. The warehouse was placed under surveillance.

On 09/05/2010, the Hidalgo County High Intensity Drug Trafficking Area Task Force surveilled the warehouse. Officers observed a tractor trailer leaving the warehouse commit a traffic violation and conducted a traffic stop. Officers obtained consent from the driver to search the tractor trailer from the driver, Jose Refugio GONZALEZ, and found 1,294 pounds of a green leafy substance, which later field tested positive for marijuana.

On 09/11/2010, the agents surveilled a meeting where Ventura PEREZ, Samuel GOMEZ, and others in a vehicle at a Diamond Shamrock gas station located in El Paso, TX. Agents learned from a CHS that during the meeting PEREZ, GOMEZ and others actively participated in a conversation regarding the drug seizure in McAllen, TX. During the meeting, surveillance agents observed GOMEZ exit the vehicle, retrieve a telephone from his vehicle, and then return to the vehicle. A CHS later stated that GOMEZ placed a call to GONZALEZ, the driver of the marijuana load that was seized in McAllen on 09/05/2010. During this phone call, which was overheard on the speaker phone, the vehicle's occupants, including GOMEZ and PEREZ, discussed the seizure of the marijuana with GONZALEZ. Agents learned that GONZALEZ told the vehicle's occupants, including GOMEZ and PEREZ that he had not provided information to law enforcement officers.

On 01/26/2011, agents arrested ACOSTA, who admitted that GOMEZ and PEREZ were responsible for arranging the transportation of the marijuana that was seized in McAllen, TX on 09/05/2010.

On 01/31/2011, agents arrested GOMEZ and PEREZ in El Paso, TX.